

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR MONDAY, NOVEMBER 13, 2023

1:00 P.M. SESSION

LY CL CE F MK

BENCH POSITION: Fisher J., Clark, J., Lynch, J.P., Ceresia, J., Mackey, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
➤(2)	CV-23-0032	<b>MATTER OF VENTRESCA-COHEN v DIFIORE</b> <b>Appellant-Respondent - Pedro Morales, Esq.</b> New York State Office of Court Administration (Janet DiFiore, et al.) <b>Respondent-Appellant - Steven M. Klein, Esq.</b> Civil Service Employees Association (Nicole Ventresca-Cohen, et al.)	10 10
(1)	110698 CR-22-2149	<b>PEOPLE v KYSHAAN MOORE</b> <b>Appellant - Paul J. Connolly [Assigned]</b> (Kyshaan Moore) <b>Respondent - Peter H. Willis, Esq.</b> Schenectady County District Attorney's Office (The People of the State of New York)	10 10
(3)	CV-22-1978	<b>MATTER OF SPENCE v NEW YORK STATE DEPT. OF CIVIL SERV.</b> <b>Appellant - Jennifer M. Wharton, Esq.</b> Public Employees Federation (Wayne Spence) <b>Respondent - Joseph M. Spadola, Esq.</b> Office of the New York State Attorney General (New York State Department of Civil Service, et al.)	10 10
(4)	113662	<b>PEOPLE v LIZ L.</b> <b>Appellant - Karin Portlock, Esq.</b> Gibson, Dunn & Crutcher LLP (Liz J. Ayala) <b>Respondent - Mary E. Saitta, Esq.</b> Aswad & Ingraham, LLP (The People of the State of New York)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(6)	CV-22-2007	<b>COBLESKILL STONE PRODUCTS, INC. v MERCHANTS NATL. BONDING, INC.</b> <b>Appellant - Jason B. Bailey, Esq.</b> Sheats & Bailey, PLLC (Merchants National Bonding, Inc., et al.) <b>Respondent - Christopher a. Priore, Esq.</b> Wilson Elser Moskowitz Edelman & Dicker, LLP (Cobleskill Stone Products, Inc.)	10  10
(8)	535123	<b>MATTER OF ELLEN C. STARK</b> <b>Appellant - Roy H. Cunningham, Esq.</b> Lewis Glasser PLLC (NBT Bank, N.A.) <b>Respondent - Kate H. Nepveu, Esq.</b> Office of the New York State Attorney General (New York State Attorney General)	10  5
(9)	CV-23-1485	<b>MATTER OF CATHERINE YY.</b> <b>Appellant - Dustin J. Brockner, Esq.</b> Office of the New York State Attorney General (St. Lawrence Psychiatric Center) <b>Respondent - Shannon L. Stockwell, Esq.</b> Mental Hygiene Legal Services (Catherine YY.)	10  10
(7)	536111	<b>MATTER OF AMBRISTER v ROSA</b> <b>Appellant - Peter G. Albert, Esq.</b> Brain Injury Rights Group, Ltd. (Rhonda Ambrister, et al.) <b>Respondent - Beezly J. Kiernan, Esq.</b> Office of the New York State Attorney General (Betty A Rosa, et al.)	<u>Remote</u> 10  <u>In Person</u> 10

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Calendar No.	Case No.	Title	Time Allocated
(5)	535925	<b>WELLS FARGO BANK, N.A. v WELCH</b> Appellant - Ryan Sirianni, Esq. Greenberg Traurig, LLP (Wells Fargo Bank, National Association) Respondent - Patrick Binakis, Esq.	<u>Remote</u> 10 SUB
(10)	536124	<b>MATTER OF ADONIS I.</b>	SUB
(11)	CV-23-0135	<b>GAUDETTE v GAUDETTE</b>	SUB
(12)	112877	<b>PEOPLE v ADRIAN M. ATUTIS</b>	SUB
(13)	CV-23-0410	<b>MATTER OF LEROY v BROOKDALE HOSP. MED. CTR.</b>	SUB
(14)	CV-23-0551	<b>MATTER OF TULLY v GARDENER</b>	SUB
(15)	535825	<b>MATTER OF FAISCA v NEW YORK CITY TRANSIT AUTH.</b>	SUB

► CV-23-0032 - MATTER OF VENTRESCA-COHEN v DIFIORE  
Panel: E LY CL CE F